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1 **UNITED EMPLOYEES LAW GROUP, P.C.**

2 **Walter L. Haines, Esq. SBN 71075**

3 **Greg Douglas, Esq. SBN 147166**

4 **65 Pine Ave., Suite 312**

5 **Long Beach, CA 90802**

6 **Tel: (562) 256-1047**

7 **Fax: (562) 256-1006**

8 **Attorneys for Plaintiffs,**

9 **Christopher Clark and James Renick**

10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 **CHRISTOPHER CLARK and JAMES**  
13 **RENICK, individuals,**

14 **Plaintiffs,**

15 **CHASE HOME FINANCE, LLC; a Delaware**  
16 **LLC doing business in California; CHASE**  
17 **MANHATTAN MORTGAGE CORPORATION,**  
18 **a New Jersey corporation Doing business in**  
19 **California; JAMES BOUDREAU, an individual;**  
20 **and DOES 1-25**

**Case No. '08 CV 0500**

**DECLARATION OF PLAINTIFF**  
**CHRISTOPHER CLARK IN**  
**SUPPORT OF PLAINTIFF'S**  
**MOTION TO REMAND TO STATE**  
**COURT**

**Date: May 16, 2008**

**Time: 1:30 PM**

**Courtroom: 16**

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**DECLARATION OF PLAINTIFF CHRISTOPHER CLARK IN SUPPORT OF MOTION TO REMAND**

**DECLARATION OF CHRISTOPHER CLARK**

I, Christopher Clark, hereby declare and state as follows:

1. I am a party Plaintiff to this action and a former employee of Defendant Chase Home Finance, LLC, (hereinafter "Chase"). As such, I have personal knowledge of the facts set forth herein. If called upon to testify as a witness, I could and would testify competently thereto.

2. I was employed as a Sr. Tech Analyst with Chase continuously from around 1997 until on or about July 15, 2005.

3. During the entire tenure of my employment with Chase, Defendant James Boudreau, (hereinafter "Boudreau"), was also employed by Chase.

4. During my employment with Chase, Boudreau was a manager in the department in which I worked and I reported directly to Boudreau.


5. As my manager, Boudreau exercised direct control over my wages, hours worked and my working conditions.

6. On at least several occasions during my employment with Chase, I had direct and personal conversations with Boudreau regarding the substantial number of overtime hours I was working without being compensated for the overtime.

7. Notwithstanding my conversations with Boudreau regarding the substantial number of overtime hours I was working without being compensated for said overtime hours, no change was made to compensate me for the subject overtime hours.

8. Rather, I was informed that I was considered a salaried and exempt employee and therefore not entitled to compensation for any overtime hours that I worked.

I declare under penalty of perjury under the laws of the State of California and these United States that the foregoing is true and correct. Executed this 16<sup>th</sup> day of April, 2008, in the City of San Diego, California.



Christopher Clark, Declarant